<u>REMARKS</u>

This application includes claims 1-38. In the non-final Office Action of May 9, 2008, all claims are rejected. With this paper, none of the claims are amended, none are canceled and none are added.

Claim Rejections under 35 USC §102

Claims 1-5 and 18 are rejected under 35 USC §102(e) as being anticipated by Jambhenkar *et al* (U.S. Patent 6,430,405, Jambhenkar hereinafter).

The invention as claimed in claim 1 is a communication apparatus. It comprises a controller, an interface adapted to receive an electronic message, a display, and a memory. Claim 1 defines that: (1) the memory stores image data representing at least one predefined icon to be presented on said display so as to indicate receipt of said electronic message; (2) the memory also stores an association between each predefined icon and a sender of electronic messages; and (3) the controller determines a sender of a received electronic message, matches the sender with a predefined icon by way of the association, and presents the matching icon, if any, on the display to indicate the receipt of the message as well as the sender of the message.

Jambhenkar teaches "displaying functional icons stored with directory numbers to simplify the retrieval of information and the transmission of messages. In particular, functional icons associated with one of the plurality of communications services can enable easier searching of directories or transmission of messages when stored in connections with directory numbers (Abstract)." Jambhenkar is fundamentally different from the present invention in several aspects.

First, Jambhenkar does not teach (2) the memory also stores an association between each predefined icon and a sender of electronic messages. Jambhenkar discloses that when a user enters a name and a phone number in a phone directory, the users can select a predefined icon to be associated with the phone number and the name (col. 5, line 38 to col. 6, line 52-as cited by the Office). Jambhenkar specifically discloses that "the user is then presented with an option to select an icon associated with the number or address at a step 406. Preferably, the user is prompted to select an icon associated with that number to <u>associate the number with a functional feature of the phone</u>. An example is

shown in Fig. 4-6 that icons representative of work, car, home and fax machine could be associated with entered numbers (see col. 5, line 63- col. 6, line 2, emphasis added).

Thus, according to Jambhenkar, an icon is not associated with a number. It is associated with a _functionality_ of the number, i.e. associated with one of the plurality of communications services. The purpose of associating a certain number with a functional feature of the number (represented by the icon) is for enabling easier searching of directories or transmission of messages. The icon only indicates the functionality of the number, not the identity of the owner of the number (which is represented by name). For example, all the fax numbers may use the same icon and all mobile numbers may use the same icon. Therefore, an icon does not server to indicate the identity of a sender.

Second, Jambhenkar does not teach (1) the memory stores image data representing at least one predefined icon to be presented on the display so as to indicate receipt of an electronic message.

Jambhenkar does not teach "said memory being adapted to store image data ... ," because Jambhenkar is totally silent about "image data" and thus consequently silent about "image data representing at least one predefined icon to be presented on said display."

Also, Jambhenkar does not teach the icon is displayed, at the time an electronic message is received, so as to indicate receipt of the electronic message. In displaying the icon, Jambhenkar teaches displaying a memory location of the phone book directory having the name and phone number associated with that memory location, and "the predetermined memory location may be displayed with name and icon associated with the predetermined memory location being shown ... "(col. 6, lines 22-27).

Therefore, the displaying of memory location with name and icon is the result of the user cursors through entries of the phone book directory and not the result of any reception of any electronic message to the radio communication device. The operation of "cursors through entries of the phone book directory" is merely giving a command defining a direction, i.e., the direction of either cursoring up or down through entries of the phone book directory. Thus Jambhenkar is also silent about "to indicate receipt of said electronic message".

Moreover, Jambhenkar discloses, (see the citation from column 7, lines 14 to 23): "If the user desires to read messages and selects a "Read Messages" option (Fig. 6-2) at a

step 606 the user may select a particular message type (Fig. 6-3), for example, phone, e-mail, or fax, at a step 608. After reading the message at a step 610, the user has the option of sending a reply to the message (Fig. 6-4) at a step 612. If the user wants to reply, information associated with the sender which may be stored in the radio communication device will appear on the display. The information which is related to the sender is then displayed on the screen." Note that the selection is made between the massage types, not between the senders because the display method of Jambhenkar cannot indicate the sender of the message. Also, note that – cited in part from the above citation – "After reading the message at a step 610, the user has the option of sending a reply to the message (Fig. 6-4) at a step 612. If the user wants to reply, information associated with the sender which may be stored in the radio communication device will appear on the display." Thus solely in the case and as an important prerequisite i.e. when the user desires to reply then "information associated with the sender which may be stored in the radio communication device will appear on the display", which is different from "icon to be presented on said display so as to indicate receipt of said electronic message". In Jambhenkar, the user needs to do something specifically – i.e. perform an action in order to make a reply – before "information associated with the sender which may be stored in the radio communication device will appear on the display".

Third, Jambhenkar does not teach 3) the controller determines a sender of a received electronic message, matches the sender with a predefined icon by way of the association, and presents the matching icon, if any, on the display to indicate the receipt of the message as well as the sender of the message.

As discussed above, no icon in Jambhenkar is presented on a display so as to indicate reception of an electronic message, then accordingly Jambhenkar logically is also silent about the features 3).

Hence, the controller of the device of Jambhenkar does not match the sender with a predefined icon by way of the association, and presents the matching icon, if any, on the display to indicate the receipt of the message as well as the sender of the message.

Based on the above, the present invention is not anticipated by Jambhenkar. The section 102 rejection is based on clearly erroneous interpretation of what Jambhenkar

actually teaches. Applicant respectfully requests the rejection of claim 1, and dependent claims 2-5 and 18, be reconsidered and withdrawn.

Claim Rejections under 35 USC §103

Other claims not mentioned in the preceding section are rejected under 35 USC 103(a) as being unpatentable over Jambhenkar in view of various other references. In these claims, only claim 19 is independent, and claim 19 is rejected for the same reason as set forth in claim 1 (page 11 of the Detailed Action).

Since claim 1 is believed to be patentable for the reasons presented in the preceding section, claim 19 is also patentable. All other claims are also patentable due to their dependency to a patentable independent claim. Applicant respectfully requests the claim rejections under 35 USC 103 be withdrawn and the claims proceed to allowance.

Conclusion

For all the foregoing reasons, it is believed that all of the claims of the application are allowable. Applicant's agent urges the Examiner to call to discuss the present response if anything in the present response is unclear or unpersuasive.

Applicant believes that no fee is due with the filing of this response. However, should any fee be due of which applicant is unaware, the Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment to our deposit account, no. 23-0442.

Respectfully submitted,

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Shiming Wu
Agent for the Applicant
Registration No. 56,885

WARE, FRESSOLA, VAN DER SLUYS
 & ADOLPHSON LLP
755 Main Street, P.O. Box 224
Monroe, Connecticut 06468
Tel. (203) 261-1234